

or pages by sending signals to paging coaster); and a software programmer (programmer associated with reprogramming the electronic device by uploading and downloading the software associated with data communication) which uploads and downloads software to and from said transmitter or receiver.

The sections cited by the Examiner relate to the fact that "In the food services industry, restaurant owners are using both illumination coasters and paging coasters to improve the restaurant's atmosphere and the comfort of their customers. Paging coasters are given to patrons as they arrive for service to use as beverage coasters at the bar or other nearby reception areas while waiting to be seated at a table. Once the customer's table is ready, the server pages the customer by sending a signal to the coaster which causes internal lights to flash." The section also states that "The battery charger and electronic device assembly utilize a plurality of rechargeable electronic devices that can be electrically connected for recharging to a battery charger base unit either individually or simultaneously by stacking the electronic devices on each other to establish electrical connection through each device to the battery charger base unit. The electronic devices can be any rechargeable electronic device adaptable to include the internal circuitry, stackable surface and terminal configuration. These electronic devices include, but are not limited to, paging or message devices, paging coasters, illumination coasters, walkie talkies, cellular phones, CD-ROM players, cassette tape players, and other rechargeable electronic devices."

Col. 6, lines 43-51 states that "The example configuration shown in the figures place each base unit in electrical communication with a plurality of stacked electronic devices through the plurality of terminals in each device. This electrical communication

facilitates transmitting any type of electrical communication signal to each device through terminals, such as alternating current or direct current to recharge the device, and data communication signals to reprogram the electronic device."

Claim 1 as amended requires a graphic display. Lovegreen does not disclose a receiver/pager having a graphic display and a user interface. The Examiner states that the pager of Lovegreen would respond to the caller displaying the caller's phone number and keypad. However, the section cited by the Examiner relates to electronic devices which are stackable paging coasters, stackable illumination coasters, stackable portable CD-ROM players, stackable cassette players, stackable walkie talkies, cellular telephones, and pagers with electrical terminals extending through opposing surfaces." None of these devices have a graphic display.

Further Claim 1 was amended to add that the device uses a remote access network, such as a telecommunication line or wireless network.

Lovegreen discloses rechargeable electronic devices that are stackable. Claim 1 as amended relates to a remote programmer where the receivers have nowhere to stack and therefore are not rechargeable devices but rather battery operated devices. As soon as the receiver becomes a rechargeable device it would be considered a system as defined in claim 2.

Therefore, claim 1 is not anticipated nor obvious over Lovegreen.

Regarding claim 2, the Examiner states that Lovegreen continues, as disclosed in claim 1, to disclose a charger (col. 6 lines 43-54, a charger or base unit (10)).

Relating to claim 2, the present invention requires the use of a charger with a remote software programmer which is not taught by Lovegreen. Lovegreen discloses the

charger in a local paging network and does not teach the need or use of remote access to the local restaurants paging system. Therefore claim 2 is not anticipated nor obvious over Lovegreen.

Regarding claims 7-8, the Examiner states that Lovegreen continues, as disclosed in claim 2, to disclose said receiver can download software and data from said charger (fig. 5, base unit (10)) and through conductive contacts (reprogramming the electronic devices (20) via conductive contacts (physical contacts)).

Claim 7 depends on claim 2 and requires that the receiver can upload or download software and data to and from said charger. For the reasons stated above for claim 2, claim 7 is not anticipated nor obvious over Lovegreen.

Claim 8 depends on claim 2 and requires that the receiver can upload or download software through conductive contacts. For the reasons stated above for claim 2, claim 8 is not anticipated nor obvious over Lovegreen.

Regarding claim 10, the Examiner states that Lovegreen continues, as disclosed in claim 1, to disclose the system wherein said receiver can perform a wireless upload or download to said transmitter and/or wireless service provider (paging coasters, walkie talkies, cellular telephones, other rechargeable electronic devices).

With regard to claim 10, Lovegreen's system uploads and downloads to the "base unit" when the "rechargeable electronic devices" are placed on top of it. The programmer of the present invention is located remotely, which makes it new and novel. In addition, the receivers are not "rechargeable electronic devices" but rather battery operated.

Therefore, claim 10 is not anticipated nor obvious over Lovegreen.

Regarding claims 18-21, the Examiner states that Lovegreen continues, as disclosed in claim 2, to disclose a single charger can support many receivers at one time (Fig. 5, chargers (10a-b) and receivers or pagers (20a-f), said charger can support both charges and stores software (reprogramming the electronic devices from said charger), said charger stores information relating to how and when said receiver was used (providing stored information to paging coasters), and said charger can download software through hard media (reprogramming the electronic devices through terminals (57a-b and 58a-b)).

✓ Claim 18 relates to the system of claim 2 wherein a single charger can support many receivers at one time. For the reasons stated above for 2, claim 18 is not anticipated nor obvious.

Claim 19 relates to the system of claim 2 wherein said charger both charges and stores software. For the reasons stated above for claim 2, claim 19 is not anticipated nor obvious

Claim 20 as amended relates to the system of claim 2 wherein said charger stores information relating to the interaction between the receiver and its users. For the reasons stated above for claim 2, claim 20 is not anticipated nor obvious.

Claim 21 as amended relates to the system of claim 2 wherein said charger can upload or download software from said software programmer or other external systems through hard media. For the reasons stated above for claim 2, claim 21 is not anticipated nor obvious.

The Examiner has rejected claim 12 as being obvious over Lovegreen in view of McNally, 5,850,214.

The Examiner states that Lovegreen continues, as disclosed in claim 1, to disclose paging coasters to notify the customer to be seated at individual tables. But, Lovegreen does not disclose said transmitter tracks the last several pages that were made.

However, McNally discloses, in the art of restaurant paging system, said transmitter tracks the last several pages that were made (restaurant wait list mode of the clipboard acts as transmitter to transmit the waiting status to the pager, and updating the paged status by providing the light) to control the seating arrangement of the restaurant. Therefore, it would have been obvious to include the transmitter tracks the last several pages that were made in the device of Lovegreen because Lovegreen suggests paging coasters to notify the customer to be seated at individual tables and McNally teaches the transmitter tracks the last several pages that were made to control the seating arrangement in the restaurant.

McNally relates to a clipboard which informs customers when their table is ready and displays information regarding the status of particular tables as opposed to customers. The system allows paging of beeper equipped customers directly from the operator interface on the clipboard and communication to and from various input/output transmitters and receivers to update the status of the lights on the clipboard. McNally does not teach tracking the last several pages that were made.

Claim 12 depends on claim 1 and further requires that the transmitter tracks the last several pages that were made. Based on the arguments above for claim 1, claim 12 is not obvious over Lovegreen in view of McNally.

The Examiner has rejected claims 3, 4, 6, 13-17 and 22-24 as being obvious over Lovegreen in view of Diem, 5,696,500.

Regarding claim 3, the Examiner states that Lovegreen continues, as disclosed in claim 1, to disclose a pager, but Lovegreen does not disclose mode of paging, advertising, and entertainment. The Examiner states that Diem discloses, in the art of paging system, mode of paging, advertising and entertainment (advertising and playing audio events) to enhance the user satisfaction. Therefore, it would have been obvious to include the mode of paging, advertising and entertainment in the device of Lovegreen as evidenced by Diem because Lovegreen suggests the pager and Diem teaches the mode of paging, advertising and entertainment to enhance the user satisfaction.

Diem discloses a remote multi media terminal, (col. 4 line 5-16) but the purpose of Diem's device is in an educational environment or corporate environment to transmit presentations. As evidence Diem states that the multimedia presentation "find applications ranging from educational and informative presentations" (col. 1 line 12-13). As further evidence Diem states that "multimedia systems generally utilize a work station, personal computer, or portable computer" (col. 1 line 17-18) due to the large file sizes required (col. 1 line 19). Diem is referring to Microsoft PowerPoint type application which have never been considered in a restaurant environment.

To use a remote programmer in the restaurant environment is new and novel and could not have been foreseen since every existing idea only focuses on local networks for restaurant paging due to the concept that restaurants only require paging to inform their customers that their table is ready. The system of the present invention allows restaurants and other businesses or individuals to communicate with and entertain the restaurants patrons.

In addition, Diem discloses a device that communicates from the multi-media terminal (116) to the paging terminal and then to the receiver. Diem does not suggest the need for a communication path in the opposite direction, from the receiver to the paging terminal to the multi-media terminal, because Diem's application does not require this feature.

Regarding amended claim 3, Diem discloses a one way paging protocol to transfer advertising and entertainment and Lovegreen discloses a paging system but claim 3 provides a two way interactive communication between several receiver users and other devices such as the transmitters and chargers using 802-11 or other wireless technology.

Regarding claims 4, 6,13-17, the Examiner states that Diem continues, as disclosed in claim 1, to disclose a display (fig. 13, text/graphic display (1220), a user interface (Fig. 13, 1224) and a keypad or touch panel display, and said transmitter can download software through hard media, diskette, telecommunication line and wireless service provider (a set of multimedia commands for a software; diskette in the computer, a set of multimedia commands for a software, Fig. 1- wireless transmission between antenna (110, 112), telecommunication line (a leased phone line)), and said transmitter stores information relating to how and when said receiver was used (transmitter prepares and stores a set of multi-media commands to be used by said receiver).

Diem states that the multi-media terminal is preferably a personal computer or a computer workstation. The central processing unit includes a mass storage device such as a hard disk drive for the storage of the multi-media files. There is provided a multi-media receiver that includes a receiver for receiving messages, text events, graphics events, audio events and multi-media commands transmitted over a radio frequency

channel. The multi-media receiver includes a memory, that stores the messages received.

Claim 13 relates to the system of claim 1 wherein said transmitter can upload or download software through hard media. Regarding claim 13, Diem could not have foreseen using remote programmers in the restaurant industry. In addition Diem discloses a wired link as the communication link (118). He does teach using hard media since the long time to mail software would defeat the advantages of Diem's wireless protocol applications. This is further evidence that Diem did not foresee his system in an environment where the software upgrade is not as time sensitive. In many circumstances for a restaurant, the transmitter software updates are required over a period of days and not minutes.

Therefore, claim 13 is not anticipated nor obvious over Lovegreen in view of Diem.

Claim 14 relates to the system of claim 13 wherein the hard media is a diskette or CD. For the reasons stated above for claim 13, claim 14 is not anticipated nor obvious over Lovegreen in view of Diem.

Claim 17 relates to the system of claim 1 wherein said transmitter stores information relating to the interaction between the receiver and its users. For the reasons stated above for claim 1, claim 17 is not anticipated nor obvious over Lovegreen in view of Diem.

Claim 22 relates to the system claim 21 wherein said hard media is a diskette or CD. For the reason stated above, claim 22 is not anticipated nor obvious over Lovegreen in view of Diem.

Claim 23 relates to the system of claim 2 wherein said charger can upload or download software and data through a telecommunication line. For the reason stated above for claim 2, claim 23 is not obvious over Lovegreen in view of Diem. Lovegreen does disclose transfer of software between the charger and receiver but not in a system that includes a charger also receiving information from a remote software programmer.

Claim 24 relates to the system of claim 2 wherein said charger can upload software and data through a wireless service provider. For the reasons stated above for claim 2, claim 24 is not obvious over Lovegreen in view of Diem.

The Examiner has objected to claims 9 and 11 being dependent on a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.


Applicant has amended claims 9 and 11 as requested.

Applicant believes that the application is in condition for allowance.

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